

REMARKS

Examiner's comments in the Office Action marked "non-final" and dated September 18, 2006, have been read and carefully considered by Applicants. In view of such comments, Applicants have amended the claims as set forth herein. In particular, independent claims 1, 9, 15, and 19 and also dependent claims 2-8, 10-14, 16-18, and 20 have all been amended to better highlight the patentable differences of Applicants' proposed invention as compared to the prior art cited by Examiner in the Office Action. In amending these claims, however, Applicants maintain that no new matter has been introduced into the present Application. Aside from the claims amended herein, no other claims have been altogether canceled, and no entirely new claims have been added. Thus, claims 1-20 remain pending in Applicants' present Application for Examiner's consideration.

At the present time, it is Applicants' good faith belief that the pending claims, as presented herein, are both novel and non-obvious. Therefore, Applicants respectfully aver that the pending claims now place the present Application in a condition for allowance and notice thereof is respectfully requested.

Objection to Defective Oath/Declaration

In the Office Action, Examiner objected to the Oath or Declaration originally submitted with Applicants' Application as being defective for failing to include the signature of Jeanette J. Epps, the fourth-listed inventor in Applicants' Application.

In response, Applicants are herewith submitting a dated Declaration with Ms. Epps' signature included thereon.

Objections to Claims

Also in the Office Action, Examiner objected to claims 6-8, 12, and 14-18 for including various informalities that require correction.

In response, Applicants have amended claims 6-8, 12, and 14-18 as set forth hereinabove to correct such informalities as requested by Examiner. In amending these claims, however, Applicants maintain that no new matter has been introduced into the present Application.

Rejections under 35 U.S.C. § 102(b)

Further in the Office Action, independent claim 1 and dependent claim 4 stand rejected by Examiner under 35 U.S.C. §102(b) as being anticipated by United States Patent Number 5,767,766, which was issued to Hegeon Kwun on June 16, 1998 (hereinafter "Kwun"). In response, Applicants respectfully traverse each of these 35 U.S.C. §102(b) rejections in view of claims 1 and 4 as amended herein.

In particular, for Kwun to anticipate the inventive subject matter claimed in Applicants' independent claim 1 and render it unpatentable, Kwun must disclose

[a] safety system for a vehicle, said safety system comprising:

an occupant sensor located onboard said vehicle and operable to generate an occupant characteristic signal;

a plurality of discretized patch sensors coupled to a peripheral area of said vehicle and operable to generate at least one collision detection signal; and

a controller coupled to said occupant sensor and said plurality of discretized patch sensors;

wherein said controller is operable to determine an occupant status in response to said occupant characteristic signal, determine a collision type in response to said at least one collision detection signal, and perform at least one countermeasure in response to said occupant status and said collision type[.]

as required by Applicants' claim 1 amended herein. Kwun, however, does not disclose such a "safety system for a vehicle" with "an occupant sensor located onboard [the] vehicle and operable to generate an occupant characteristic signal" as now claimed and supported by Applicants. (Applicants' Application, see ¶ 0033, 0037, 0050, and Figure 2). Thus, Applicants respectfully aver that claim 1 is not anticipated by Kwun. In view of such, Applicants respectfully traverse the 35 U.S.C. § 102(b) rejection of independent claim 1 in the Office Action based on claim 1 as amended herein. Furthermore, since claim 4 is dependent on independent claim 1, Applicants also respectfully traverse the 35 U.S.C. § 102(b) rejection of claim 4 as well.

Rejections under 35 U.S.C. § 103(a)

Also, in the Office Action, independent claims 9 and 19 and also dependent claims 2, 5-8, 10, 11, 13, 14, 16-18, and 20 stand rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Kwun. In addition, dependent claims 3 and 12 stand

rejected by Examiner under 35 U.S.C. § 103(a) as being obvious and therefore unpatentable over Kwun in view of United States Patent Number 5,445,412, which was issued to Edward Gillis *et al* on August 29, 1995 (“Gillis”). In response, Applicants respectfully traverse each of these 35 U.S.C. §103(a) rejections set forth in the Office Action in view of claims 2, 3, 5-14, and 16-20 as amended herein.

In particular, for Kwun and/or Gillis to render the inventive subject matter now claimed in Applicants’ dependent claims 2, 3, and 5-8 obvious and therefore unpatentable, Kwun and/or Gillis must either teach or suggest

[a] safety system for a vehicle, said safety system comprising:

an occupant sensor located onboard said vehicle and operable to generate an occupant characteristic signal;

a plurality of discretized patch sensors coupled to a peripheral area of said vehicle and operable to generate at least one collision detection signal; and

a controller coupled to said occupant sensor and said plurality of discretized patch sensors;

wherein said controller is operable to determine an occupant status in response to said occupant characteristic signal, determine a collision type in response to said at least one collision detection signal, and perform at least one countermeasure in response to said occupant status and said collision type[.]

as required by Applicants’ independent claim 1 amended herein, upon which claims 2, 3, and 5-8 are dependent. Kwun and/or Gillis, however, neither teaches nor suggests such a “safety system for a vehicle” with “an occupant sensor located onboard [the] vehicle and operable to generate an occupant characteristic signal” as now claimed and supported by Applicants. (Applicants’ Application, see ¶¶ 0033, 0037, 0050, and Figure 2). Thus, Applicants respectfully aver that claims 2, 3, and 5-8 are not rendered obvious by Kwun and/or Gillis. In view of such, Applicants respectfully traverse the 35 U.S.C. § 103(a) rejections of dependent claims 2, 3, and 5-8 in the Office Action based on claim 1 as amended herein.

Furthermore, for Kwun to render the inventive subject matter now claimed in Applicants’ independent claim 9 obvious and therefore unpatentable, Kwun must either teach or suggest

[a] safety system for a vehicle, said safety system comprising:

an occupant sensor located onboard said vehicle and operable to generate an occupant characteristic signal;

a plurality of collision detection sensors coupled to the periphery of said vehicle and operable to generate at least one collision detection signal; and

a controller coupled to said occupant sensor and said plurality of collision detection sensors and comprising (i) a collision contact location estimator for determining a collision type, which includes determining a collision severity and a collision contact location on said vehicle, in response to said at least one collision detection signal, and (ii) a coordinated device activation system for performing at least one countermeasure in response to said occupant characteristic signal and said collision type[.]

as required by Applicants' independent claim 9 amended herein. Kwun, however, neither teaches nor suggests such a "safety system for a vehicle" with "an occupant sensor located onboard [the] vehicle and operable to generate an occupant characteristic signal" as now claimed and supported by Applicants. (Applicants' Application, see ¶ 0033, 0037, 0050, and Figure 2). Thus, Applicants respectfully aver that claim 9 is not rendered obvious by Kwun. In view of such, Applicants respectfully traverse the 35 U.S.C. § 103(a) rejection of independent claim 9 in the Office Action based on claim 9 as amended herein. Furthermore, since claims 10, 11, 13, 14, and 16-18 are dependent on independent claim 9, Applicants also respectfully traverse the 35 U.S.C. § 103(a) rejections of claims 10, 11, 13, 14, and 16-18 as well. Also, since Gillis neither teaches nor suggests such a "safety system for a vehicle" with "an occupant sensor located onboard [the] vehicle and operable to generate an occupant characteristic signal" as now claimed and supported by Applicants, Applicants also respectfully traverse the 35 U.S.C. § 103(a) rejection of claim 12 as well since claim 12 is dependent on claim 9.

Moreover, for Kwun to render the inventive subject matter now claimed in Applicants' independent claim 19 obvious and therefore unpatentable, Kwun must either teach or suggest

[a] method of activating safety systems on a vehicle, said method comprising the steps of:

sensing an occupant onboard said vehicle and generating at least one occupant characteristic signal;

detecting a collision onboard said vehicle and generating at least one collision detection signal;

- determining an occupant status in response to said at least one occupant characteristic signal;
- determining the severity and the contact location of said collision onboard said vehicle in response to said at least one collision detection signal;
- determining a collision type in response to said severity and said contact location of said collision; and
- generating a countermeasure signal in response to said occupant status and said collision type [.]

as required by Applicants' independent claim 19 amended herein. Kwun, however, neither teaches nor suggests such a "method of activating safety systems on a vehicle" including the step of "sensing an occupant onboard said vehicle and generating at least one occupant characteristic signal" as now claimed and supported by Applicants. (Applicants' Application, see ¶ 0033, 0037, 0050, and Figure 2). Thus, Applicants respectfully aver that claim 19 is not rendered obvious by Kwun. In view of such, Applicants respectfully traverse the 35 U.S.C. § 103(a) rejection of independent claim 19 in the Office Action based on claim 19 as amended herein. Furthermore, since claim 20 is dependent on independent claim 19, Applicants also respectfully traverse the 35 U.S.C. § 103(a) rejection of claim 20 as well.

Allowable Subject Matter

Lastly, in the Office Action, Examiner indicated that claim 15 contains patentable subject matter and would be allowable if rewritten in independent form. In response, Applicants have herein amended claim 15 so that claim 15 is now written in independent form.

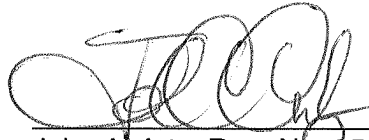
CONCLUSION

In view of the claims as amended and also the foregoing remarks, Applicants respectfully submit that independent claims 1, 9, 15, and 19, as well as claims 2-8, 10-14, 16-18, and 20 dependent thereon, are all novel and non-obvious with respect to the disclosures and teachings of both Kwun and Gillis. Therefore, Applicants respectfully request that Examiner's objections and rejections be withdrawn and that a Notice of Allowance be issued for all claims 1-20.

Should Examiner have any questions with respect to any matter now of record, Examiner is invited to contact Applicants' undersigned attorney at (248) 223-9500.

Respectfully submitted,

ARTZ & ARTZ, P.C.

A handwritten signature in black ink, appearing to read 'J. Artz', written over a horizontal line.

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